

UNITED STATES DISTRICT COURT

Southern

District of

New York

Virgin Enterprises Limited,

v.

SUMMONS IN A CIVIL ACTION

ENOM, INC., VIRGINAIRLINES.COM, MONIKER
ONLINE SERVICES, LLC, WWWVIRGINATLANTIC.
COM, CARLO HAKOPIAN, VIRGINDIRECT.COM,
GEOVICS INFOTECH NIG.LTD, VIRGINBEAUTY LTD.
BIZ, VIRGIN HEALTH CORP., VIRGINHEALTH.NET,
MELBOURNE IT LTD., and
VIRGINTELECOMMUNICATION.COM

CASE NUMBER: 08 Civ. 0328 (JGK)

TO: (Name and address of Defendant)

Melbourne IT Ltd.
1900 Powell Street, Suite 1070
Emeryville, California 94608

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

James W. Dabney, Esq.
Fried Frank Harris Shriver & Jacobson LLP
One New York Plaza, New York, NY 10004

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

FEB 22 2008

CLERK

Patricia Curtis

(B) DEPUTY CLERK

DATE

SAO 440 (Rev. 8/01) Summons and Civil Action

| RETURN OF SERVICE | | |
|--|-----------------------------|---|
| FIRST AMENDED Service of the Summons and complaint was made by me ⁽¹⁾ | | DATE 6TH MARCH 2008 AT 2:56 PM |
| NAME OF SERVER (PRINT) TRISH NORTH | TITLE PROCESS SERVER | |
| Check one box below to indicate appropriate method of service | | |
| <input checked="" type="checkbox"/> Served personally upon the defendant. Place where served: BY SERVING BEN LEAHMAN, MEMBER OF LEGAL DEPARTMENT OF MELBOURNE IT, AT LEVEL 2, 120 KING STREET, MELBOURNE VICTORIA, AUSTRALIA 3009. <input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: <input type="checkbox"/> Returned unexecuted: <input type="checkbox"/> Other (specify): | | |
| STATEMENT OF SERVICE FEES | | |
| TRAVEL | SERVICES | TOTAL \$0.00 |
| DECLARATION OF SERVER | | |
| I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct. | | |
| Executed on <u>18TH MARCH 2008</u> | <u>Date</u> | <u>Signature of Server</u> <u>Level 1. 221 Queen street</u> <u>melbourne victoria.</u> <u>Australia.</u> <u>Address of Server</u> |
| ADDITIONAL DOCUMENTS SERVED: | | |
| (1) FIRST AMENDED COMPLAINT INDIVIDUAL PRACTICES OF JUDGE JOHN G. KOELTL BLANK CONSENT TO PROCEED BEFORE UNITED STATES MAGISTRATE JUDGE RIGHT TO PROCEED BEFORE A UNITED STATES MAGISTRATE JUDGE INFORMATION SHEET. | | |
| CRITICAL INSTRUCTIONS TO ATTORNEYS | | |

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.